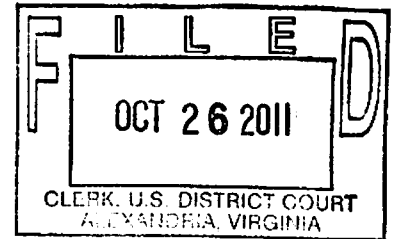


**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**



ERIK B. CHERDAK

Plaintiff,

v.

**Ascena Retail Group, Inc. a.k.a. The Dress
Barn Inc. /dba/ JUSTICE (a.k.a. Tween
Brands, Inc.)**

and

BCNY INTERNATIONAL, INC.

Defendants.

Case No. 1:11-cv-353 (LO/JFA)

**CONSENT ORDER TO SUBSTITUTE TWEEN BRANDS, INC.
FOR ASCENA RETAIL GROUP, INC.**

Plaintiff has filed suit against "Ascena Retail Group, Inc. a.k.a. The Dress Barn Inc. /dba/ JUSTICE (a.k.a. Tween Brands, Inc.)". Tween Brands, Inc. has indicated that it is a wholly owned independent subsidiary of Ascena Brands, Inc. and is the company that sells the accused products. The parties hereby consent, subject to the Court's approval, to the substitution of Tween Brands, Inc. for Ascena Retail Group, Inc.

Tween Brands, Inc. shall treat documents served to date on Ascena Retail Group, Inc., including "Plaintiff's First Amended Complaint," as having been served on Tween Brands, Inc.

Cherdak shall treat documents served and/or filed to date by Ascena Group, Inc., including the "Answer And Counterclaims Of Ascena Retail Group, Inc. And Its Independent Subsidiary Tween Brands, Inc.," as having been served and/or filed by Tween Brands, Inc.

No claims by Cherdak against Ascena Retail Group, Inc. remain in this action.

Substitution of parties will not affect the scheduling of proceedings nor prejudice any other party, and is in the interests of justice.

WHEREFORE, based on the foregoing, the Court hereby orders the substitution of Tween Brands, Inc. for Ascena Retail Group, Inc.

October 26, 2011 10/26
Liam O'Grady
United States District Judge
United States District Judge

October 25, 2011

Respectfully submitted,

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